

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In Re:

GATEWAY SPORTS & POOLS, INC.,

Debtor

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**ANSWER TO MOTION  
(sale of real property)**

**Case No.: 25-10053**

**Chapter 7**

M&T Bank, by its attorneys, Melvin & Melvin, PLLC, as and for its Answer to the Trustee's motion to sell real property, does hereby allege and show as follows:

1. M&T Bank holds two mortgages which encumber that real property owned by Debtor located at 22-40 Remsen Street, Cohoes, New York 12047 ("**Subject Premises**").

2. The first mortgage held by M&T Bank was executed by Debtor on January 31, 2020 and was recorded in the office of the Clerk of Albany County on February 5, 2020 as instrument number R2020-3030 therein. The total amount secured by said mortgage was as of January 28, 2025 the amount of \$400,803.64; interest continues to accrue on that indebtedness after January 28, 2025 at the rate of \$48.32 per day. Copies of said mortgage, evidence of recording, the obligation secured thereby, and M&T Bank's payoff letter relating thereto are annexed hereto as Exhibit A.

3. The second mortgage held by M&T Bank was executed by Debtor on January 19, 2021 and was recorded in the office of the Clerk of Albany County on February 23, 2021 as instrument number R2021-5557 therein. The total amount secured by said mortgage was as of January 28, 2025 the amount of \$209,452.94; interest continues to accrue on that indebtedness after January 28, 2025 at the rate of \$19.58 per day. Copies of said mortgage, evidence of

recording, the obligation secured thereby, and M&T Bank's payoff letter relating thereto letter are annexed hereto as Exhibit B.

4. M&T Bank hereby consents to the Trustee's motion to sell the Subject Premises, upon condition that all the money owed by Debtor to M&T Bank that is secured by both aforesaid mortgages is paid in full at the closing of said sale.

WHEREFORE, M&T Bank requests an Order granting the Trustee's motion to sell that real property owned by Debtor located at 22-40 Remsen Street, Cohoes, New York 12047, upon condition that all the money owed by Debtor to M&T Bank that is secured by both aforesaid mortgages is paid in full at the closing of said sale, and furthermore granting to M&T Bank such other and further relief which as to the Court may seem just and proper.

Date: March 7, 2025

Respectfully submitted,



MELVIN & MELVIN, PLLC  
BY: LOUIS LEVINE, ESQ.  
Attorneys for secured creditor M&T Bank  
Office and P.O. Address  
217 South Salina Street, Suite 700  
Syracuse, New York 13202  
Tel: (315) 422-1311  
Email: [llevine@melvinlaw.com](mailto:llevine@melvinlaw.com)